

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF JANUARY 25, 2005.

ATTENDANCE

COUNCIL: Randy Menard – Chair (District 9), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7), Rob Stevenson (District 8)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council) and Veronica Williams (Assistant Clerk)

ADMINISTRATIVE STAFF: Dee Stanley (Chief Administrative Officer), Pat Ottinger (City-Parish Attorney), Sona Dombourian (Library Director), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Terry Huval (Utilities Director), Tom Carroll (Public Works Director), Tony Tramel (Director of Transportation), Gerald Boudreaux (Director of Parks & Recreation), Eleanor Bouy (Planning, Zoning & Codes Director), Keith Thibodeaux (Information Services Director), Rebekke Raines (PZC Planning Manager), Denise Womack (PZC Zoning Manager), Jim Parker (PZC Zoning Planner)

COMMENCEMENT

Tape 1 – Side A

Tape 1 – Side B (not used)

AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of January 25, 2005 to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Bruce Conque was called upon to lead the invocation and pledge.

AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT’S REPORT

Library Board Member Susie Hamilton announced the new Director for the Library, Sona Dombourian. Dombourian thanked the Board for their support and stated that she looked forward to working with the Board, Administration and Council.

ORDINANCES FOR FINAL ADOPTION

AGENDA ITEM NO. 4: O-001-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, Case No, Z2004-024 (TC) Text Change for Multi-Tenant Signs in Integrated Centers, to provide regulations for the construction of signs for integrated business centers, motion to adopt by Conque, seconded by Williams *as amended* to include a 30 feet height restriction for Multi-Tenant signs in Integrated Business Centers in all zoning districts, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Conque, Mouton, Stevenson,

NAYS: Broussard, Menard

ABSENT: Benjamin

ABSTAIN: None

Motion to adopt as amended was approved.

Denise Womack, PZC Zoning Manager, gave a brief presentation on the intent of the ordinance which would address signage on a lot where several businesses exist. The ordinance further amends the definition of an Integrated Shopping Center. All other changes within the ordinance are to bring consistency throughout the ordinance with reference to the amended definition.

On another note, Menard requested that Zoning inspect what could be an illegal sign on Rue Louis XIV at Kaliste Saloom. Williams asked why the ordinance was being addressed at this time and Womack stated that each business has the discretion to place its own sign on multi tenant lots. The ordinance would combine these signs and reduce the total amount of signage allowed on the property. Williams asked if there would be a height restriction and Womack responded that a height restriction was identified in only a few zoning districts. Williams requested that a height restriction be identified in all zoning districts. Womack stated that the height of the signs in the Integrated Business Centers was not an issue for the department and added that the department would be assessing the entire provisions for sign regulations in the future to improve the overall appearance of the community.

Jim Parker, Zoning Planner, stated that the ordinance did include a height restriction for Neighborhood Business, Limited Business and Transitional Business zoning districts. Benjamin requested that sign regulations be considered for Louisiana Avenue Corridor and asked that Zoning provide him with information regarding the Louisiana Avenue overlay proposal. Conque asked why a height restriction was not identified in the General Business district and Womack responded that, historically, there has not been a height restriction in this zoning classification. Conque then made a motion to include a 30 feet height restriction for multi-tenant signs in Integrated Business Centers in all zoning districts. Williams, who seconded the original motion, accepted the amendment. The amendment was included as part of the original motion. Williams then asked that Zoning draft an ordinance that would impose a 30 feet maximum on all signs for the City and Unincorporated areas of the parish.

Tape 2 – Side A

Broussard stated that 30 feet signs are not so intrusive and asked that the Council reconsider the height restriction in the General Business zoning district. Stevenson stated that some communities require monument only signage and greenery which are more visitor friendly and inviting.

On another note, Williams stated that he had been receiving several communications regarding a lawsuit on the fiber project and suggested by the close of business on Friday, the Administration update Councilmembers on how LCG would proceed. Stanley stated that the appropriate legal medium would be an executive session, since this is in litigation.

AGENDA ITEM NO. 5: O-002-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the properties of TBM Contractors, Inc. and Merlin J. Leger, Case No. Z2004-028 Brent Mosing Crestlawn Drive Property Rezoning, located generally north of Crestlawn Drive and east of Johnston Street, from GAD (Growth Area District) to R-2 (Multi-Family Residential), motion to adopt by Stevenson, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Denise Womack, Zoning Manager, stated that the subject property was vacant, owned by two property owners and was approximately three acres of land. The property was also in GAD zoning district which is a holding pattern where no new uses are allowed. Womack stated that the applicant originally requested a General Business (GB) zoning classification; however, the Planning Commission recommended a multi-family residential (R-2) zoning district. The applicant then amended his rezoning request to the R-2 classification. Stevenson asked if the residents agreed to the zoning change and Womack responded that the residents objected to the rezoning request. A.E. Montagnet, consultant for the project, stated that the owners were acceptable to the R-2 zoning classification.

AGENDA ITEM NO. 6: O-003-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of James Louis Clause, Case No. Z2004-032 James L. Clause Moss Street Property Rezoning, located at the southeast corner of the intersection of Moss Street and Acorn Drive, from R-1-A (Single-Family Residential) to B-T (Transitional Business), motion to adopt by Broussard, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Jim Parker, Zoning Planner, stated that the subject property was located on the corner of Moss and Acorn Streets. A few people in the area asked questions regarding the proposed rezoning; however, Parker noted that there was no opposition. Bourgeois asked what the property would be used for and Parker responded he heard that a clinic would be placed on the property.

AGENDA ITEM NO. 7: O-004-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Jeremy Arceneaux, Case No. Z2004-033 Jeremy Arceneaux Timothy Drive Property Rezoning, located generally south of Timothy Drive and located between Empire and Fountainbleu Drives, from R-1-B (Single-Family Residential) to R-1-C (Single and Two-Family Residential), motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Jim Parker, Zoning Planner, stated that the subject property was formerly a tennis court for the Broadmoor pool and is three lots. A.E. Montagnet, consultant for the project, advised that the owner would like to build some patio homes on the property.

APPEALS

AGENDA ITEM NO. 8: Appeal of Planning Commission action regarding Highland Drive Street Naming, motion to deny the appeal was offered by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion to deny the appeal was unanimously approved.

Eleanor Bouy, PZC Director, stated there were two Highland Drives, one in the 70508 area of the parish which was named in 1962 and the second in the 70506 area of the City which was named in 1968. There are thirteen property owners on the Parish road and 59 on the City road. The Planning Commission recommended that the Parish Highland Drive be renamed to the 200 Block of Westbend Ridge. Stevenson then made the motion to deny the appeal.

Resident Barbara Boderlon, who resides in the 70506 area, stressed the importance of clarifying this issue for 911 matters and provided the Council with information relative to her concerns. Mouton listed streets in the City and Parish with the same name and stated that he represented the 70508 area. He asked that the Zoning Department be aware of issues impacting same named streets.

AGENDA ITEM NO. 9: Appeal of Planning Commission action regarding Persal Subdivision, motion to grant the appeal was offered by Williams, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin

NAYS: Bourgeois, Broussard, Conque, Stevenson, Menard

ABSENT: Mouton

ABSTAIN: None

Motion to grant the appeal failed.

A previous motion to defer the appeal pending a drainage impact study of the area by the Public Works Department was made by Badeaux, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Stevenson

NAYS: Bourgeois, Broussard, Conque, Menard

ABSENT: Mouton

ABSTAIN: None

Motion to defer the appeal failed.

Rebekke Raines, Planning Manager, gave a brief presentation on the appeal, stating that preliminary plat approval was requested for a subdivision on approximately 19 acres of property. There would be 95 lots where homes would be built for residential use. Bourgeois asked if drainage changes were made to the project and Gary McGoffin, representing the applicant, stated that the adjacent property owners expressed concern about what would be built, traffic and drainage.

McGoffin reiterated that the development would include 95 lots which was decreased from the original plan of 120 lots. The homes would be in the \$130,000 price range. In response to concerns about traffic and roads, McGoffin stated that the plat had been redrawn to include a 20 foot easement and the drainage ditch would be relocated to provide more width for the roadway. With reference to drainage, McGoffin stated that the number of lots was decreased from 120 to 95 to allow enough property to build a retention pond for additional drainage for the development. The applicant has taken additional steps to improve drainage for the area.

Tape 2 – Side B

Paul Miers, consultant for the project, stated that the development would not address the existing drainage issues of the area; however, the retention pond would address the runoff of the development. Bourgeois asked if the ditch to the north of the development, La Place Street, which drained half of the existing residences, would be addressed and Miers explained that they would dig the ditch deeper. The ditch is currently twelve inches deep. Miers added that the water to the rear of the subdivision will be redirected in their subdivision and reiterated that Cormier Road would continue to flood as it is lower than other roads in the area. Bourgeois agreed and added that Cormier Road has been considered a retention pond for the area because it is much lower than other road heights.

Bourgeois asked what type of feedback was received from residents and Miers responded that the residents expressed concern about whether the development would make drainage worse for the area and mosquitoes from the retention pond. Miers added that the retention pond would be two to three feet deep at its lowest point. Badeaux stated that there was a problem with a culvert on Nanoke and Briane Lanes and asked that the PublicWorks Department assess the area to determine if the proposed subdivision would make the drainage problem worse. Badeaux then made the motion to defer the appeal pending a drainage impact study of the area by the Public Works Department, seconded by Williams. The motion to defer failed.

Bourgeois asked if Public Works had assessed the area from a drainage standpoint and Tom Carroll, Public Works Director, responded that it was his opinion that the aftermath of the subdivision would not make drainage problems any worse than what is today. Conque asked that the outfall be assessed to determine if it could handle the water from the development. Carroll responded that the way the developers have the subdivision planned, there would be less run off. Badeaux asked that Public Works look at the existing culvert on Nanoke and Briane to address the drainage problem at this location.

Williams made the motion to grant the appeal, seconded by Benjamin. Benjamin stated that he would support the residents of the area. The motion to grant the appeal failed.

Prior to voting on the motion to grant the appeal, the following residents addressed the Council: David Latour stated that the development would make the drainage problem on Cormier Road even worse. He further expressed concern about the traffic problems due to the existing substandard roadways adjacent to the development. Latour asked that the proposal be deferred until a study could be performed.

Felton Francis expressed concern regarding drainage on Nanoke Lane and added that the coulee was filled with trash, tree stumps and other debris. Also, there were low hanging trees over Braquet Road. Badeaux asked Carroll to speak with Francis to get all his concerns.

Tape 3 – Side A

Gus Buras stated that he lived two blocks north of the proposed subdivision and added that Braquet Road is 15.6 feet wide. The road has no shoulder and the coulee bridge is even narrower. He expressed concern for the safety of the people and stated that Braquet Road needed to be widened to handle the additional traffic of the subdivision.

REPORTS AND/OR DISCUSSION ITEMS

AGENDA ITEM NO. 10: Update on drainage on Westpointe Circle and surrounding areas. Public Works Director Tom Carroll provided an update on efforts to clean out the coulee and on needed servitudes. Broussard requested that Carroll provide a recap, status and timetable for the project as efforts get underway. Citizen Worley Firmin addressed the Council and thanked Broussard and the Public Works Department for their speedy response to their concerns.

AGENDA ITEM NO. 11: Recognize Denise Marceaux regarding train noise and the increase in train traffic. Marceaux provided information to the Council regarding a rule under the Federal Railroad Administration, which allows municipalities the option to mitigate train noise by creating quiet zones. Marceaux then expressed concern regarding the speed at which trains came through Lafayette and provided a chronology on train times, speeds and the length of time their whistles sounded. Williams requested that the Administration review the information and provide an update on the agenda of March 22, 2005.

AGENDA ITEM NO. 12: Update on annexation process. PZC Director Eleanor Bouy stated that she, President Durel and Terry Huval met on the issue and would begin by assessing the islands in the unincorporated areas of the parish. Twenty-four islands have been identified. Williams requested an update on the possible annexation of Smith Reed Road and Malapart Road. Bouy stated that Smith Reed Road was not contiguous to land annexed in the City of Lafayette and Malapart Road was in litigation. City-Parish Attorney Pat Ottinger added that attorneys were attempting to finalize the Grand Stakes Subdivision litigation, which ran along Malapart Road. Williams requested an update in 90 days during the April 28 Council meeting.

AGENDA ITEM NO. 13: Complaints on Ancelet Street. Williams stated that the Police Department submitted a written report addressing criminal activity in the neighborhood. Williams also talked about problems with Duke's Lounge, shopping carts in the area and landscaping issues with reference to the on-going project. He then requested that the Administration expedite the project that would address the problem with the sight-triangle at Gilman and Pierce Streets.

COMMENTS FROM THE PUBLIC

AGENDA ITEM NO. 14: Comments from the public on other matters.

The following residents addressed the Council:

- Edward Garcia – requested that the Council prohibit fireworks in the unincorporated area of the parish. Menard then read a written statement by Mel Hightower who also supported a ban on fireworks in the unincorporated area of the parish.

Tape 3 – Side B

- Phillip Martin – talked about the harassment of a vendor in the downtown area. Martin stated there was a group of people who wanted to get Frankie, a caterer, off of Jefferson Street. Frankie has a mobile trailer and sells burgers during the late night hours in the downtown area. Williams stated that he forwarded correspondence to Cathy Webre, DDA Director, regarding vending in the downtown area. Pat Ottinger, City-Parish Attorney, stated that he was working on an ordinance to address vending issues on public streets. Williams stated that his correspondence expressed his opposition to any restrictions to vending in the downtown area. Williams asked that the draft ordinance be provided to the entire Council. It was also suggested that the Liaison team for this area call a briefing at the appropriate time so all parties could be informed on the provisions of the ordinance.

- Wallace Senegal – encouraged the Council to move forward with finding a location for a Martin Luther King Expressway.

- Forrest Chaisson – expressed concern that firefighters pay could be cut and talked about the financial impact this would have on these employees.

- Alton Trahan – stated that the Fire Department was in a crisis and also expressed concern regarding the pay decrease.

- Shelby Williams – stated that free LEAP tutoring was being offered at the Domingue Center from 6:30 p.m. to 8:00 p.m. and added that the standard and scoring for the test had increased. He then thanked the Martin Luther King Committee for their work with the agenda and activities for the weekend of January 16 and 17.

Menard gave an overview of the sequence of events that occurred in 2003 with reference to an agreement made during consideration of the pay plan with firefighters and not with the Firefighter Union. He stated that Councilmembers placed the firefighters and police pay issues on the ballot for public vote and they were approved. When it came to consideration of the firefighters pay plan, the firemen asked for more than the public voted for, which cost an additional \$600,000. If the increase was approved, firefighters would agree to take step ups, thereby drastically decreasing the need for overtime funding. The funds saved from the overtime could be used to offset the increase in the pay plan. The ordinance states that should the firefighters refuse to take step ups, the pay plan would revert back to the amount originally approved by taxpayers on the ballot. Menard announced that the firefighters have been refusing to take step ups and have cost taxpayers 890 hours in overtime costs. In closing, Menard announced that the wages of firefighters would be reduced in the upcoming pay period.

Tape 4 – Side A

Williams reminded that vendors who did not post prices on their carts should be removed from parade routes.

ADJOURN

There being no further business to come before the Lafayette City-Parish Council, Chair Menard declared the meeting adjourned.

Norma A. Dugas, Clerk
Lafayette City-Parish Council